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ABSTRACT

This report provides board policy samples and other policy resources on leaves and absences. The intent in providing policy samples is to encourage thinking in policy terms and to provide working papers that can be edited, modified, or adapted to meet local requirements. Topics covered in the samples include (1) sick leave, (2) maternity leave, (3) professional improvement leave, (4) personal leave or absence, (5) professional growth leaves of absence and sabbaticals, (6) conferences and visitations and (7) exchange teaching. (Author/JF)

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SCHOOL BOARD POLICIES on LEAVES & ABSENCES

#73-13

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. . . a school board policy development kit prepared by the Educational Policies Service of the NATIONAL SCHOOL BOARDS ASSOCIATION

A WORD ABOUT THIS PUBLICATION

This is one of a continuing series of kit-booklets issued to help school boards develop written policies in key subject areas. All policy samples and other policy resources reproduced herein have been selected from the files of the Policy Information Clearinghouse of the National School Boards Association's Educational Policies Service (EPS/NSBA) and coded to the EPS/NSBA policy codification system.

The intent in providing policy samples is to encourage thinking in policy terms; to provide "something to start with"--working papers to be edited, modified, or adapted to meet local requirements. Administrators of EPS/NSBA member organizations should file this booklet for continuing reference in their master copy of the Educational Policies Reference Manual.

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EPS Files: GBRH--Professional Leaves and Absences
GBRI--Personal Leaves and Absences

SCHOOL BOARD POLICIES ON LEAVES AND ABSENCES

No. 73-13 March, 1973

School board policy in a Connecticut town required an English teacher to leave school after five months of pregnancy. She returned to school not with her doctor, but with her lawyer.

She won her case. The U.S. Circuit Court of Appeals ruled that the teacher's constitutional rights had been violated by the policy. As a result of that and similar recent rulings, school boards everywhere have been liberalizing their maternity leave policies.

The legal skirmish over maternity leaves is a dramatic example of the nation-wide tug-of-war that continues between teachers and school boards over policies on leaves and absences. Teachers want policies that provide financial and job security from the effects of illness and accident, and they want time outside the classroom for personal activity and professional growth. School boards are anxious about the rising costs of covering for teachers who are not in class, and they are worried about the educational consequences of having highly qualified and well paid professionals too often "absent from duty."

Clear, comprehensive, and reasonable policies on leaves and absences can encourage and help maintain a professional approach to the teacher's job--teaching. Policies that are confusing, vague, or subject to legal challenge often lead to unpleasant and expensive disagreements over just what a policy means for a particular teacher in a particular situation. Who and what will determine how long a pregnant teacher will remain in class before the expected birth of her child? How many days of sick leave are due a tenured teacher with three years experience? May these days be "hoarded up" to be used at some future time for a trip to Europe? Who may apply for sabbatical leave and under what conditions? How may the Board be sure that the sabbatical will be used for the purpose intended?

Unless basic questions relating to these everyday situations are carefully considered in written policies, confusion will inevitably lead to disagree-

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ment and possible challenge.

Before we examine the basic categories of policies on leaves and absences, we should identify at the outset the fundamental dilemmas in weighing costs vs. benefits. Most of the direct and indirect costs can be accounted for, and they add up to a substantial chunk of the operating budget. The benefits of sound policies in this area aren't so obvious, and it is nearly impossible to measure them in dollars.

One study of several Pennsylvania school districts gives insights to the magnitude of costs. The 12,000 teachers within the study area were absent from classrooms 71,000 days in one year. Substitutes covered over 68,000 of these days for a direct per diem cost of $2,056,549. Not surprisingly, 85% of the districts in the study exceeded their budgets for substitute teachers by an average of 36%.

On the other hand, measuring the benefits of teacher absences and the benefits of policies that provide for reasonable absences isn't so easy. For example, one can't quantify the beneficial effect on student learning when teachers are satisfied that policies provide reasonable financial and job security from the effects of illness or accident. Yet this factor--call it "morale"--is vital to the smooth operation of the schools.

Conclusion: The accountant alone is not qualified to determine your policies on leaves and absences. His adding machine may be needed to control costs, but also needed is an attitude of reasonableness to be displayed by both the Board and its employees at the bargaining table where, increasingly, these policies are being fashioned. A reasonable Board will recognize that a certain amount of subsidized time off belongs in the modern package of employee benefits. And reasonable professionals will recognize that both financial and political considerations will put limits on the size of that package.

Now to the various categories of our subject.

SICK LEAVE

One of the most common provisions in personnel policy is to grant teachers paid absence because of illness or personal injury. Such sick leave provisions are adopted voluntarily, by negotiated agreement with teacher organizations, or as a result of statutory or State Board of Education requirements.

About 30 states have specific state-wide requirements that teachers receive certain amounts of sick leave at full pay. The most common amount is 10 days of leave per year, although local board policies may exceed this amount in many states. There is a variety of state provisions on whether or not sick leave days may be accumulated and if so, to what limit, if any.

In designing your own sick leave policies, you should first determine the exact provisions for sick leave that may exist as a matter of state-wide policy. The trend in recent years has been either to increase the amount of sick leave given, or to expand the limits on how much leave may be accumulated.

Policies regarding sick leave have become such a standard fixture of fringe benefit packages that it's easy to overlook the profound effect reasonable benefits have in helping employees overcome quite natural anxieties about the effects of illness or accident. Sick leave policies that are clear, comprehensive, and reasonable go a long way to provide a reassuring answer to the question, "What happens if I get ill or hurt?"

Specifically here are some points to keep in mind as you review or build your own sick leave policies:

--What are state provisions regarding sick leave?
--How many days of sick leave should be allowed for each year?
--How many days of unused sick leave may each teacher accumulate?
--Should there be a sick leave bank, which allows individual teachers to voluntarily contribute portions of their accumulated sick leave for use by others who are members of the bank?
--What rate of pay should the teacher receive while absent?
--In the event a teacher dies, for how long should salary be paid to the survivor's estate?
--When a teacher's illness extends beyond the period of accumulated sick leave, should he receive a leave of absence without pay? For how long?
--Should the use of sick leave days be certified by a medical doctor?
--To what extent, if any, can sick leave days be used to cover other absences?

MATERNITY LEAVE

The term "maternity leave" may soon become obsolete. Teachers are now seeking sick leave coverage for childbirth. Although many policies still treat maternity leaves as a unique situation, the courts have recently decided, as in the Connecticut suit, that policies which treat women differently from men may violate constitutional guarantees.

Policies that include provision for mandatory maternity leave have recently been attacked on two fronts. First, the federal courts have referred to the Civil Rights Act of 1861 and the 14th Amendment on the question of whether or not such mandatory leave denies women their constitutional rights. Second, Congress has passed amendments to the Civil Rights Act of 1964 extending the Act to cover government employees, which includes teachers. The federal courts have been split on the issue of mandatory maternity leave, and the subject will require close legal monitoring by school authorities in the days ahead. Clearly, meticulous care must be taken with your maternity leave policies. The first guideline to establish is the somewhat flexible standard that any Board policy or regulation must be reasonable or have a rational basis in establishing categories that might discriminate. But no one can determine beforehand what the courts, whether state or federal, will agree is a reasonable policy in any particular challenge.

In addition to policy governing maternity, the Board might also consider providing for adoption leave, similar in many ways to maternity leave except for possible differences in the time elements of notification and beginning of leave.

Then, too, there is the relatively new subject of paternity leave. Suppose,

for example, the new mother is an attorney anxious to return to her practice, and the father is a high school teacher. Would your Board consider granting him extended leave of absence to provide day care for his infant child?

But the basic question regarding maternity leave (in the traditional sense) is whether to treat it as a special case or as a temporary disability under the terms of sick leave. If your decision is the former here are some points to keep in mind:

--What is the reasonable and rational basis for establishing a separate policy for pregnant women?
--When, if at all, should the expectant teacher notify her supervisor of her pregnancy?
--Who shall be eligible for maternity leave?
--When should the leave begin? What conditions determine when the leave should start?
--Should the pregnancy and estimated delivery date be certified by a medical doctor?
--What salary and benefits are due the absent teacher?
--Can accumulated sick leave be applied to maternity leave?
--When should maternity leave end? Shall medical certification of sound health be required for resumption of employment?
--Should extensions of maternity leave be considered? Under what conditions?
--What should be the status of the returning teacher in regard to position, salary, seniority, and other benefits?
--What conditions govern the return of a teacher after an early termination of pregnancy?

PROFESSIONAL IMPROVEMENT LEAVE

Ideally, professional improvement leaves benefit both the individual teacher who takes the leave and the school when he returns with new perspectives and new experiences. Long-term leaves include sabbaticals for such activities as research, study, travel, or exchange teaching. Short-term leaves cover attendance at educational conferences and school visitations.

Professional improvement leaves can be a force for improving the quality of instruction and for recruiting and keeping good teachers. But policies that are vague or arbitrary can backfire. If standards and criteria for professional improvement leave aren't clear, teachers may feel that other teachers get favored treatment from administrators who have the power to approve or disapprove convention junkets. And sabbaticals quickly breed cynicism when they lose integrity of purpose. "A Comparative Study of Bikinis on the Beaches of Martinique in the Months of January, February, and March" may be a pleasant diversion for a winter-weary coach, but this kind of research shouldn't be financed by tax dollars.

Again, professional improvement leave provisions may be spelled out in state requirements. As in the case of sick leave, such provisions offer a wide diversity of benefits and constraints. But the intention that such leaves will be for the benefit of the school district underlies all attempts to provide leaves for professional improvement.

Most of the states that establish conditions for sabbaticals require five to seven years experience before application is made for leave. One state requires 10 years. The statutes permit a broad range of activity, from course work in college to travel. But when it comes to establishing specific criteria for all professional improvement leaves, including sabbaticals, the task falls to the Board.

Here are some points to keep in mind regarding policies on professional improvement leaves, with special attention to sabbaticals:

--What are state provisions on professional improvement leaves?
--What stated purpose should leave policies serve? What will be the payoff regarding improved instruction?
--What conditions will determine qualified applicants?
--How many of the staff may be on leave at one time?
--What activities are suitable for sabbatical leave?
--How shall salary and benefits be treated?
--What conditions should apply to return from long-term leave?

PERSONAL LEAVE OR ABSENCE

Personal leave is a deceptively simple term, covering many activities. In some districts, personal leave can be used for anything from observing a religious holiday to making emergency home repairs to getting married. All these activities certainly fit one working definition of personal leave--that it's purpose is to provide the teacher with paid time off to handle private matters. The assumption is that these matters will either be emergencies or situations that can't be handled outside of usual school hours.

Personal leave can be abused, and some policies specifically prohibit such activities as shopping, fishing, or attending to teacher association business.

In an NEA study published in 1972, 81% of more than 1500 comprehensive classroom teacher agreements provided for some kind of personal leave. Of these, 58% allowed two or three days annually. In 21% of the agreements, days of personal leave were deducted from sick leave days. In 78%, separate allowances were made for personal leave days. Personal leave has obviously become an important part of the fringe benefit package.

Because of the necessarily broad nature of activities allowed or prohibited by personal leave agreements, policies relating to personal leave must be particularly clear and comprehensive. But how do you get a handle on such complexity?

Over 68% of the provisions in the NEA study summarized general purposes of personal leave. Only 13% detailed specific purposes for leave and 18% provided both broad and specific purposes for personal leaves. The following activities turned up most frequently in those policies that specified permitted activities: legal matters, business matters, religious matters, family emergencies, graduations, funerals, weddings, family illness, and so on. For a teacher to take personal leave, only 38% required prior notice. Approval of requests for leave is usually left with the superintendent or principal.

To be of real value to both teachers and schools, personal leave policies must try to achieve maximum flexibility while doing what they can to prevent abuse. Compared with sabbaticals from which both the teacher and school can derive considerable benefits, personal leaves are essentially for the benefit of the teacher. Here are some points to keep in mind to achieve sound policies:

--Should there be a policy governing personal leaves?
--How many days per year should be allowed?
--Should the purposes of leaves be stated generally or specifically?
--Which activities should not be allowed under these provisions?
--How should military leave be handled?
--What procedures should applicants follow?
--Who should have the authority to allow leave?
--How shall salary and benefits be treated?

CONCLUSION

The history of policies on leaves and absences has been marked by the tug-of-war with teachers pulling for financial and job security, time for personal activity and professional growth, and for guarantees of their constitutional rights. School boards are generally anxious to provide reasonable policies up to the point where the best interests of the district are fully served. This point is an elusive one, but carefully wrought policies on leaves and absences can help pin it down.

The tug-of-war continues. Should maternity leave be treated as sick leave? May teachers take leave to campaign for political office and to serve out the term if elected? Should leave be provided so teachers may undertake teacher association business? Should teachers be obliged to take a sabbatical every seven years? Your policies on leaves and absences may soon have to take these issues into account. We hope that the policies in this booklet will be helpful to you in your deliberations.

--Bruce Kezer
EPS/NSBA Special Assignment Writer

EPS/NSBA File: GBRH/GBRI

PROFESSIONAL AND PERSONAL LEAVES AND ABSENCES

The Board believes that the provision of leaves for teachers helps to attract and retain faculty who will continue to grow professionally, maintain their physical health, and have a feeling of security. This is done by:

1. Providing the teacher with an opportunity for continued professional growth.

2. Encouraging the teacher to take the necessary time to recuperate from illnesses.

3. Providing the teacher with income in the event of illness or accident.

4. Providing a way for the teacher to arrange for absence in the event of an emergency.

5. Cooperating with the teacher in arranging time for the performance of certain obligations or for other personal purposes that can be accomplished only during school time.

SOURCE: Roseville Area Public Schools, St. Paul, Minn.
DATE: 8/12/71

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EPS/NSBA File: GBRHA

PROFESSIONAL LEAVES AND ABSENCES
SABBATICALS

A professional growth leave of absence for a semester or for a full year on half-pay may be granted to teachers having completed at least seven years of continuous and satisfactory full-time service in the Fargo Public Schools, subject to the following conditions:

1. Written applications must be submitted to the superintendent by February 1 if a teacher desires a sabbatical leave of one year. If a teacher desires a sabbatical leave of one semester, he must apply one week after the beginning of the semester previous to the one in which he desires the leave.

2. A sabbatical request will be granted to a teacher if recommended by the superintendent and approved by the Board.

3. Teachers on leave shall not engage in remunerative work except with approval of the superintendent. Scholarships, fellowships, assistantships, and other grants shall not bar a teacher from the sabbatical leave program.

4. Each year, the Board may approve up to one percent of the eligible staff for sabbatical leave.

5. School insurance, sick leave, emergency leave, retirement eligibility, and eligibility for salary increments shall remain in effect and/or continue to accrue. The contractual status of the teacher on leave shall not be affected.

6. Payment of the one-half of basic pay will be made under the same provisions as the regular payment schedule. A teacher requesting leave shall indicate whether he wants to be paid on a 10 or 12 month basis. Before final approval of the leave is granted by the Board, the teacher shall sign a promissory noninterest-bearing note or furnish a salary recapture bond from a company that is approved by the Board agreeing to refund the full amount in the event he does not complete one full school year after returning.

7. Unless justified by illness, incapacity, or Board approval, failure of any teacher granted a leave under this policy to devote the entire period of the leave to the purposes for which the leave was granted shall constitute a cause for removal from the teaching service.

8. Teachers returning from sabbatical leave shall submit a written report to the superintendent by July 1 summarizing the benefits derived from the sabbatical and shall also agree to giving oral reports if requested.

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9. Upon expiration of a sabbatical leave and upon presentation of evidence to the superintendent showing compliance with the conditions of the leave, the teacher shall be returned to a position which is similar to the original position.

10. Any additional benefits granted to regular employees will automatically apply to teachers on sabbatical leave.

SOURCE: Fargo Public Schools, Fargo, N.D.
DATE: Revised 4/11/72

PROFESSIONAL LEAVES AND ABSENCES
SABBATICALS

The Board is committed to the principle of providing opportunities for the professional improvements of its certificated staff. As a part of such a comprehensive program, it shall grant sabbatical leaves of absence under the conditions outlined below:

Eligibility.

Certificated personnel who have served for five consecutive years in the Cedar Rapids Community Schools shall be eligible for sabbatical leave. Granting of the leave is dependent upon the ability to secure a suitable replacement.

Professional Improvement Activities.

1. Applicants who submit a program of academic study for a sabbatical leave shall undertake a full program of at least 12 hours of graduate study per semester, or the equivalent thereof (approved independent study, research at the graduate level, or approved educational travel). The program submitted shall be designed to increase the teacher's understanding of educational psychology, improve facility in teaching techniques, or broaden experience in special subject fields.

2. Applicants who desire to travel must submit a complete statement of the proposed itinerary. Acceptable travel is defined as travel in foreign countries or travel that will enrich the teacher's experience and understanding of other peoples and other cultures. Before returning to duty, the employee shall submit a satisfactory summary of his trip, together with a brief statement of the educational growth obtained through his experiences.

3. The purpose of sabbatical leave shall be flexible enough to provide for the specific needs of the individual and schools. Unusual cases should be given special consideration by the superintendent, Board, and the sabbatical leave advisory committee.

Sabbatical Leave Advisory Committee.

An advisory committee to make recommendations to the superintendent shall be formed. This committee shall include three members of the representative council elected by the representative council.

Basis and Procedure for Selection.

The number of employees on sabbatical leave at any one time shall be limited in order to preserve school efficiency. This number may be equal to, but shall not exceed, 1% of the current eligible professional staff rounded to the nearest hundred in any one year.

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When considering such leave requests, the superintendent shall provide reasonable and equitable distribution among the various branches of the staff. The number of sabbatical leaves granted to classroom teachers or administrative personnel will be in accordance with the percentage of classroom teachers to administrative personnel.

Applications for sabbatical leave shall be submitted to the superintendent by February 1 for the following fiscal year. Applications shall be considered on the basis of the following points in the order of importance:

1. Relative merits of reasons for desiring leave for graduate school or travel.
2. Reasonable distribution of applicants by schools.
3. Previous leave of employee.
4. The priority of applications.
5. Professional attitude of the applicant.

Length of Absence.

Sabbatical leave shall be for one or two semesters within the same fiscal year.

Compensation.

An employee on sabbatical leave shall receive as compensation one-half of his regular monthly salary for each month during the continuance of the leave, exclusive of "extras" or compensation for extra-class activities.

The salary of an administrator on sabbatical leave shall not be greater than one-half of the amount he would be receiving as a classroom teacher. The superintendent shall make the salary evaluation, and it will be included in the recommendation at the time the sabbatical request is presented to the Board.

The compensation prescribed shall be paid semi-monthly in the same manner and at the same time as salaries are paid to other members of the staff and must be subject to deductions as required by law.

Contract to Return.

A person who accepts a sabbatical leave must sign a statement of intention to return to the Cedar Rapids School System for a period of at least two years. He shall be assured of his former position if he so desires, or a position of comparable seniority, status, and salary.

The applicant shall enter into a legal contract with the Board which shall state that if, through his own choice, he does not return as an employee of the Board, he shall be obligated to reimburse the school district for all money paid to him while on leave as follows:

1. Total compensation if he does not return to the Cedar Rapids Schools.
2. One-half compensation if he returns for only one year.

Periodic Progress Report.

An employee to whom sabbatical leave has been granted shall periodically report professional progress to the superintendent. If such reports are unsatisfactory, the leave may be terminated at any time by the Board upon the recommendation of the superintendent and the sabbatical leave advisory committee.

Miscellaneous.

Where there is a regular increase of salary, this shall be granted to the employee on sabbatical leave.

An employee on sabbatical leave shall retain his status as a member of the Iowa Public Employees Retirement System according to the regulations of the retirement system. He may also continue his membership in the school district Blue Cross and Blue Shield group plan and shall be entitled to all other applicable employee benefits, including the accumulation of sick leave.

SOURCE: Cedar Rapids Community Schools, Cedar Rapids, Iowa
DATE: Revised 4/3/72

EPS/NSBA File: GBRHB

PROFESSIONAL LEAVES AND ABSENCES
CONFERENCES AND VISITATIONS

It is the policy of the School Committee [school board] to encourage teacher attendance at educational meetings of value by granting leave for such attendance without loss of pay and by paying reasonable expenses.

Upon written approval of the superintendent, released time shall be granted for:

1. Attendance at educational conferences by teachers or individual teacher association representatives, or school representatives.

2. Attendance at workshops, seminars, and other professional improvement sessions, including observing in other schools.

The School Committee will pay the reasonable expenses (including fees, meals, lodging, and transportation) incurred by teachers who attend workshops, seminars, conferences, or other professional improvement sessions at the written request and/or with the advance approval in writing of the superintendent.

SOURCE: Wayland Public Schools, Wayland, Mass.
DATE: 1972

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PROFESSIONAL LEAVES AND ABSENCES
CONFERENCES AND VISITATIONS

1. Requests to attend professional meetings shall be submitted in writing to the superintendent not later than three weeks preceding the event.

2. Requests shall include an estimate of the expenses involved. There should be a breakdown as to transportation, lodging, meals, registration, and any other major items.

3. It shall be the responsibility of the school principals to recommend what action should be taken and to establish the order of preference for all requests where the estimated costs of attending meetings exceed the budget allotments.

4. Conferences and conventions sponsored by recognized state, regional, and national teacher associations automatically qualify as educational meetings of value. Teachers should file requests to attend those meetings which have direct relationship to their own teaching assignments, such as English, social studies, music, reading, etc.

5. Educational meetings sponsored by private organizations or by other groups not covered above may be given consideration on an individual basis, but expenses for such meetings will be approved only if the budget allotment has not been assigned for attendance at meetings covered in paragraph 4 above.

SOURCE: Wayland Public Schools, Wayland, Mass.
DATE: 1972

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EPS/NSBA File: GBRHC

PROFESSIONAL LEAVES AND ABSENCES
EXCHANGE TEACHING

Upon written application in advance and with the recommendation of the superintendent, the Board may grant a leave of absence not to exceed one year for exchange teaching or for teaching in an overseas area. To be eligible, a staff member shall be on tenure and hold a standard or advanced professional certificate valid for the period of leave at the time leave is granted. Credit on the appropriate salary schedule for one year of successful experience shall be granted upon verification of completion of one year of satisfactory exchange or overseas teaching.

The superintendent shall have the right to recommend to the Board that the leave of absence be granted with loss of substitute pay, without pay, or with pay.

SOURCE: Montgomery County Public Schools, Rockville, Md.
DATE: 8/9/71

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PERSONAL LEAVES AND ABSENCES

Personal leave shall be available to all certificated employees for hardships or other pressing needs and will be granted in situations which require absence during school hours for the purposes of transacting or attending to personal or legal business, or family matters. Personal leave will be granted to employees for a total of not more than two days per year, subject to the following guidelines:

1. The situation must be suddenly precipitated, or must be of such a nature that preplanning is not possible, or such that preplanning could not have eliminated the need for the leave.

2. The situation must be one which is serious and unavoidable and of major importance, not one of mere convenience.

3. The employee must complete a Seattle Public School Employee Leave Report and submit it to his immediate superior for his signature as part of regular administrative process.

4. The days of personal leave are not accumulative from year to year.

SOURCE: School District #1, Seattle, Wash.
DATE: 9/25/68

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PERSONAL LEAVES AND ABSENCES

The procedures for obtaining personal leave are as follows:

1. The employee must carefully examine the conditions stated in the Board's policy under which personal leave will be granted and determine that they apply to the situation in question.

2. The employee must give notice for such leave to the principal or supervisor as far in advance as possible.

3. The employee must call the substitute office and arrange for a substitute, if appropriate.

4. Prior to, or on return from leave, the employee must obtain, complete, and submit to his immediate superior the Seattle Public Schools Employee Leave Report form for his signature and administrative processing.

Some examples of matters that may be judged to qualify for personal leave are as follows:

1. Illness in immediate family.

2. Court appearance or hearing involving the employee's personal interests.

3. Birth of child in family.

4. Extensions of bereavement leave because of special circumstances, i.e., travel distance.

5. Funeral of close friend or relative not included in bereavement leave.

6. Travel conditions (snow, accident, breakdown).

7. Emergency to property (flooding, storm, fire, etc.)

SOURCE: School District #1, Seattle, Wash.
DATE: 9/25/68

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PERSONAL LEAVES AND ABSENCES
EMERGENCY AND LEGAL

Emergency.

Absence of two days a year may be granted to an employee, without deduction in pay, at the discretion of the administration, if the business is of such pressing and immediate importance that it cannot be postponed or performed after employment hours.

Requests for such absence must be filed in advance with the superintendent on the prescribed form.

The number of unused days in any year shall accumulate for the purposes of sick leave from year to year, as long as the employment is continuous.

Legal.

In case of required jury duty, the employee shall be reimbursed the difference between his regular pay and jury pay.

In case of a required appearance in a court of law involving no moral turpitude on the part of the employee, he shall be reimbursed his full pay.

SOURCE: Cherry Hills Public Schools, Cherry Hills, N.J.
DATE: Revised 6/19/72

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EPS/NSBA File: GBRIB

PERSONAL LEAVES AND ABSENCES
ILLNESS

All teachers employed on a 10-month basis shall be entitled to 10 days sick leave per year with pay. Teachers employed for more than 10 months shall be compensated one day with pay for each additional month. Unused sick leave days shall be accumulated from year to year with no maximum limit.

Previously accumulated unused leave days will be restored to all teachers returning from a Board-approved leave of absence.

All salaried employees shall be given annual sick leave on the above basis, with proportionate amounts of leave granted those who work less/more than a 10-month year, or those who work less than full time.

A certificate from a practicing physician, certifying that the illness was incapacitating, may be required for all absences of five or more consecutive days resulting from illness.

Compensation for Unused Sick Days Upon Retirement/Resignation. The teacher, upon resignation or retirement after 10 years of regularly appointed service in the teaching profession in the Roxbury Schools, shall receive a lump sum payment equivalent to one-half of $20.00 per diem for each unused day accumulated in his sick leave bank as a teacher in the Roxbury Schools.

SOURCE: Roxbury Township Public Schools, Succasunna, N.J.
DATE: 1972

LEGAL REF.: 18A:30-4

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PERSONAL LEAVES AND ABSENCES
ILLNESS

Sick leave shall accrue at the rate of 15 days per year with unused days accumulating to the teacher's credit.

Sick Leave Bank. The School Committee [school board] authorizes the establishment of a sick leave bank, the purpose of which shall be to enable Wayland Public School teachers to contribute, voluntarily, portions of their accumulated sick leave for use by other teachers participating in the sick leave bank whose accumulated sick leave is exhausted through prolonged illness.

Sick Leave Survivor Benefit. In the event of the death of a teacher, payment of his salary shall continue to his survivor for a period of time equivalent to his remaining accumulated sick leave, not to exceed 60 days. For purposes of this provision, the term "survivor" refers to the teacher's spouse or dependent children.

Health Leave. Any teacher whose illness extends beyond the period of accumulated sick leave may be granted a leave of absence without pay for reasons of health which shall not exceed one year from the date granted by the School Committee. An extension of such leave may be granted by the School Committee upon request of the teacher. A teacher anticipating extended illness may be granted such leave prior to the expiration of his accumulated sick leave days and, upon returning from the health leave, will have the unused portion of his accumulated sick leave reinstated. The teacher shall, if possible, be assigned to the position he held before going on leave. Prior to his return from health leave, the School Committee may require the teacher to be examined by a physician of its choice.

SOURCE: Wayland Public Schools, Wayland, Mass.
DATE: 1972

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EPS/NSBA File: GBRIB

PERSONAL LEAVES AND ABSENCES
ILLNESS

Fifteen days of absence with full pay shall be allowed all full-time teachers annually for personal illness.

The superintendent shall cause a record to be kept of the causes of absence by each teacher each year. Unused days of absence for sickness shall be allowed to accumulate to a total of 150 days for each teacher.

Each teacher, at the request of the superintendent, may be asked to supply a physician's certificate validating the reason for prolonged absence.

In case personal illness results in more than 15 days absence for any employee in a given year, full or part salary may be allowed by special action of the Board.

Teachers returning to work following the termination of sick leave will be assured a teaching position.

SOURCE: Branford Public Schools, Branford, Conn.
DATE: 1970-71

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PERSONAL LEAVES AND ABSENCES
MATERNITY LEAVE
(EEOC Guidelines)

Section 1604.10 - Employment Policies Relating to Pregnancy and Childbirth.

(a) A written or unwritten employment policy or practice which excludes from employment applicants or employees because of pregnancy is in prima facie violation of Title VII.

(b) Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and should be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment. Written and unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits and privileges, reinstatement, and payment under any health or temporary disability insurance or sick leave plan, formal or informal, shall be applied to disability due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities.

(c) Where the termination of an employee who is temporarily disabled is caused by an employment policy under which insufficient or no leave is available, such termination violates the Act, if it has a disparate impact on employees of one sex and is not justified by business necessity.

SOURCE: U.S. Equal Employment Opportunity Commission, "Guidelines on Discrimination Because of Sex"
DATE: 4/5/72

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PERSONAL LEAVES AND ABSENCES
MATERNITY LEAVE

Maternity leave may be granted only to a teacher who has entered upon contractual continued service. The leave may be terminated by the Board prior to its expiration upon written request of the teacher and written approval of the attending physician. At the expiration of the leave, the teacher is expected to return to duty or submit a letter of resignation. The absence of either action will result in termination of employment and tenure rights.

Temporary Incapacity.

Teachers who become pregnant may continue to teach until (1) the teacher requests relief from teaching duties or (2) the Board determines that the teacher's condition interferes with her carrying out her teaching duties or the health of the teacher may be affected by her continuing to teach.

The Board will require a doctor's certificate affirming the teacher's good health in order for her to continue her teaching duties. Any teacher who continues teaching pursuant to a physician's approving statement shall execute a hold harmless statement absolving the Board of any responsibility or liability which would result from physical harm to the teacher resulting from her continuing to teach despite her pregnancy condition.

Any probationary teacher who ceases teaching due to pregnancy before April 1 of the second probationary year shall by ceasing to teach forfeit all rights leading to consideration for tenure.

Any tenure teacher who ceases teaching due to pregnancy shall be on automatic leave for a period ending three months after the date of the birth of the child unless:

1. The doctor certifies that the physical condition of the teacher is such that the teacher should not resume teaching duties, in which case such leave shall be extended to a date when the teacher is in physical condition to return to teaching duties, but in no event shall such extended leave exceed nine months after the date of the birth of the child, or

2. The teacher wishes to wait until the beginning of the school year in the fall first following the expiration of said period ending three months after the birth of the child, but in such event the teacher shall give the superintendent written notice of her intent to so extend the leave at least two weeks prior to the expiration of said three months after the date of the birth of the child.

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If a tenure teacher does not return to teach by the employment date set forth above, all employment rights and tenure of the teacher in the district shall cease.

SOURCE: Community Consolidated School District 15, Palatine, Ill.
DATE: 9/72

LEGAL REF.: The School Code of Illinois, Section 24-13

PERSONAL LEAVES AND ABSENCES
MATERNITY LEAVE

A teacher going on maternity leave may continue membership in the Blue Cross-Blue Shield insurance program until the child is born provided the premiums are paid in advance to the business office. All other insurance coverage ceases in accordance with terms of the respective insurance contracts.

Three months before the birth of the expected child, the pregnant teacher is required to submit a statement from her attending physician certifying the length of time she should continue her teaching duties.

A teacher on maternity leave retains any unused accumulated sick leave but does not earn additional sick leave until she returns to service.

SOURCE: Community Consolidated School District 15, Palatine, Ill.
DATE: 9/72

Administrative Rules Samples (yellow sheets) are distributed by EPS/NSBA for demonstration purposes and do not necessarily reflect official viewpoints of the National School Boards Association unless so noted above. Editing from originals has been for reasons of space, style, or coding requirements only.

EPS/NSBA File: GBRIC

PERSONAL LEAVES AND ABSENCES
MATERNITY LEAVE

An educational staff member who becomes pregnant may continue to work as long as health permits and as long as she is satisfactorily performing the duties of her job. Prior to the expected date of delivery, she may request leave. Such leave will be granted, without pay, if it is scheduled to begin subsequent to the end of the seventh month of pregnancy and will terminate not later than nine calendar weeks (subject to such extension as may be mutually agreed upon) after the date of delivery or termination of pregnancy.

At the option of the employee, a leave of absence scheduled to terminate June 30 of the year of delivery may be granted, and, upon request, may be extended one year to terminate June 30 of the following year.

SOURCE: Fairfax County Public Schools, Fairfax, Va.
DATE: 4/13/72

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PERSONAL LEAVES AND ABSENCES
MATERNITY LEAVE

Leave of absence for maternity must be applied for not later than 60 calendar days prior to the expected date of delivery.

A physician's statement giving the approximate date of delivery is to accompany the request for such leave of absence.

Any educational staff member on a leave of absence who desires to return to the school system at the beginning of a semester must notify the assistant superintendent for personnel in writing not later than the 15th of November or the 15th of April prior to the desired spring or fall semester, respectively. Any such educational staff member shall be entitled accordingly to fill an available vacancy for which she is qualified.

Adoption Leave.

Upon request, leave of absence may be granted for the adoption of a child.

SOURCE: Fairfax County Public Schools, Fairfax, Va.
DATE: 6/5/72

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PERSONAL LEAVES AND ABSENCES
ADOPTION

On the occasion of the adoption of a child, adoption leave of one academic year or a portion thereof may be granted to any staff member who has successfully completed the probationary period of contract employment. All staff members on adoption leave shall return to service as of the beginning of an academic year. Return to service at other times shall be at the convenience of the district.

Adoption leave shall be recommended on an individual basis by the professional staff member's immediate principal or supervisor.

Upon returning to service, such employee on leave shall be granted the total number of leave days accumulated prior to the beginning of the leave of absence in addition to the days allowed for the current year. However, the employee may not charge the adoption leave of absence or any portion thereof against the accumulated sick leave.

Adoption leave of absence shall in no way serve to terminate continuing contract benefits acquired by said employee, nor shall it affect the teacher's position on the salary schedule.

Upon returning to service, the teacher shall be assigned to the same duties or those of a similar nature as were performed prior to the beginning of the leave of absence.

A request for an extension of an adoption leave of absence must be made to the superintendent prior to the end of the academic year prior to the time of scheduled expiration of the leave already granted. The extension of the leave is at the option of the Board and may be renewed but one time. If the employee does not return to service at the end of the granted leave period, such employee shall forfeit all rights to tenure and sick leave previously acquired.

SOURCE: Cedar Rapids Community Schools, Cedar Rapids, Iowa
DATE: 5/17/71

* *This is a "break-out" code and descriptor. It is not included in the official list of EPS terms. It is used here to illustrate how the system may be expanded as necessary to accommodate a new topic as a subcategory of an existing descriptor.*

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PERSONAL LEAVES AND ABSENCES
MILITARY

A regular employee will be granted leave of absence for the purpose of entering the military service of the United States. The first 30 days of such leave of absence shall be with pay. If the employee reports for work within 90 days of discharge, he shall be reinstated without loss of seniority rights and privileges subject to the following conditions:

1. That he is physically and mentally capable of performing the duties of his former position;

2. That he has retained proper certification for that position;

3. That he makes written application for reinstatement at least 30 days prior to requested date of reemployment, and that such request is no later than 90 days following his date of separation or discharge from active military service; and

4. That he has furnished proof of an honorable discharge or separation from military service.

A regular employee shall be granted leave up to a maximum of two weeks per year for reserve military training. Such leave shall not be counted against accumulated vacation time. An employee on reserve training leave shall be paid by the school district at his regular rate of the normal work week, less such military pay allowances except travel allowance, which he shall receive for such training. The employee shall provide the director of business affairs with evidence of the amount of compensation received for summer training so that the proper adjustment can be made.

SOURCE: Dubuque Community Schools, Dubuque, Iowa
DATE: 12/13/71

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EPS/NSBA File: GBRIE

PERSONAL LEAVES AND ABSENCES
RELIGIOUS

All religious holidays requiring a full day of observance will be allowed for such observance and shall not be deducted from sick leave or days for personal business.

SOURCE: West Islip, N.Y., Public Schools

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Days granted employees for personal leave shall cover leave for any religious holidays which are not school holidays.

SOURCE: East Orange, N.J., Public Schools
DATE: 1972

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Any employee whose religious affiliation requires the observance of holidays other than those scheduled in the school calendar may be excused by the assistant superintendent of schools without loss of salary.

SOURCE: Cedar Rapids, Iowa Community Schools
DATE: 8/15/66

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Staff members will be granted three days of absence each year for religious holidays without deduction of pay and without deduction of those days from sick leave.

SOURCE: Branford, Conn., Public Schools
DATE: 1970-71

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PERSONAL LEAVES AND ABSENCES
BEREAVEMENT

The Board will allow up to five days of paid bereavement leave at the time of death of any relative residing in the employee's household and/or the following family members: spouse, mother, father, daughter, son, or siblings.

The Board will allow up to three days of paid bereavement leave at the time of death of any of the following family members: father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, uncle, aunt, nephew, niece, grandfather, grandmother, and grandchild.

Such leave is nonaccumulative and is not to be taken from sick leave.

SOURCE: School District #10, Tacoma, Wash.
DATE: Revised 7/1/72

* * * * *

A staff member shall be allowed a maximum of four days of absence without loss of salary upon the death of a child, parent (natural, foster, or in-law), brother, sister, husband, wife, or of anyone who has lived regularly in his household.

A staff member shall be allowed a maximum of two duty days of absence without loss of salary upon the death of a brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, or spouse's grandparent.

In the event of unusual travel or personal problems in connection with the use of bereavement leave, additional leave days may be granted by the appropriate official.

SOURCE: Montgomery County Public Schools, Rockville, Md.
DATE: 8/9/71

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PERSONAL LEAVES AND ABSENCES
POLITICAL

Members of the education profession are generally expected to assume the duties and responsibilities of good citizenship under the American democratic way of life. One of these duties and responsibilities is that of serving in elective political office in our governmental structure.

In the event that a member of the professional education staff wishes to become a candidate for elective political office, he or she may be granted a leave of absence for the purpose of campaigning for such office. This campaign shall be at the expense of the candidate and salary deduction shall be made on a per diem basis for the workdays lost because of the campaign.

In case such a candidate is elected to the office sought, he or she may be granted a leave of absence extending through the term of office to which he or she has been elected. Such a leave shall be without salary. Upon return from the leave, the staff member shall be returned to the same position occupied previously or to one of the same type and rank in this school system.

Nothing in the above shall prevent a staff member from being employed by the district during the time he is not performing the duties of his elective office.

SOURCE: Cedar Rapids Community Schools, Cedar Rapids, Iowa
DATE: Revised 5/17/71

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